

# MEDICAL DISPUTE RESOLUTION FINDINGS AND DECISION

## PART I: GENERAL INFORMATION

<b>Type of Requestor:</b> (x) HCP ( ) IE ( ) IC	<b>Response Timely Filed?</b> (x) Yes ( ) No
Requestor's Name and Address Richardson Regional medical Center aka Baylor/Richardson Medical Center c/o Advanced Practice, Inc. 17101 Preston Rd., #180-S Dallas, TX 75248	MDR Tracking No.: M4-04-0118-01
	TWCC No.:
	Injured Employee's Name:
Respondent's Name and Address Bancinsure, Inc. c/o ECAS Box 02	Date of Injury:
	Employer's Name: Plano Bancshares Inc.
	Insurance Carrier's No.: 0L021100067001

## PART II: SUMMARY OF DISPUTE AND FINDINGS

Dates of Service		CPT Code(s) or Description	Amount in Dispute	Amount Due
From	To			
12/31/02	01/03/02	Inpatient Hospitalization	\$11,241.14	\$0.00

## PART III: REQUESTOR'S POSITION SUMMARY

Position Summary states in part, "...According to the hospital fee guideline published by the Texas Workers Compensation Commission (TWCC), any in patient hospital admission with billed charges above \$40,000... Shall be reimbursed per the stoploss methodology using a stoploss reimbursement factor of 75%... It appears this claim meets the stoploss requirement; however, reimbursement does not represent the established methodology. It appears the audit company is paying a per diem rate, and the Implantables at cost plus 10%, per rule 134.401(c)(1), (4), and (6) which is incorrect per the rules themselves..."

## PART IV: RESPONDENT'S POSITION SUMMARY

Position Summary states in part, "...The Requestor is misapplying Rule 134.401 by adding the cost of implants to the charges for services to raise the total charges for this hospital stay above the \$40,000 stop-loss threshold. The implants are a product, not a service. The charges for implants should be deducted the same as personal items in calculating the stop-loss threshold. In this case, the charge for implants were deducted, the remaining bill was audited, and the cost of implants plus 10% was added the audited hospital charges. This total did not exceed the \$40,000 threshold..."

## PART V: MEDICAL DISPUTE RESOLUTION REVIEW SUMMARY, METHODOLOGY, AND/OR EXPLANATION

This dispute relates to inpatient services provided in hospital setting with reimbursement subject to the provisions of Rule 134.401 (Acute Care Inpatient Hospital Fee Guideline). The hospital has requested reimbursement according to the stop-loss method contained in that rule. Rule 134.401(c)(6) establishes that the stop-loss method is to be used for "unusually costly services." The explanation that follows this paragraph indicates that in order to determine if "unusually costly services" were provided, the admission must not only exceed \$40,000 in total audited charges, but also involve "unusually extensive services."

After reviewing the documentation provided by both parties, it does **not** appear that this particular admission involved "unusually extensive services." Accordingly, the stop-loss method does not apply and the reimbursement is to be based on the per diem plus carve-out methodology described in the same rule.

The total length of stay for this admission was 3 days (consisting of 3 days for surgical). Accordingly, the standard per diem amount due for this admission is equal to \$3,354.00 (3 times \$1,118). In addition, the hospital is entitled to additional reimbursement for (implantables/MRIs/CAT Scans/pharmaceuticals) as follows: The requestor did not submit implant invoices; therefore, MDR cannot determine the cost of the implantables plus 10%.

The Requestor billed \$46,009.78 and received payments totaling \$23,266.20. Considering the reimbursement amount calculated in accordance with the provisions of rule 134.401(c) compared with the amount previously paid by the insurance carrier, we find that no additional reimbursement is due for these services.

**PART VI: COMMISSION DECISION**

Based upon the review of the disputed healthcare services, the Medical Review Division has determined that the requestor is **not** entitled to additional reimbursement.

Findings and Decision by:

Marguerite Foster

03/22/03

Authorized Signature

Typed Name

Date of Decision

**PART VII: YOUR RIGHT TO REQUEST A HEARING**

Either party to this medical dispute may disagree with all or part of the Decision and has a right to request a hearing. A request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings/Appeals Clerk within 20 (twenty) days of your receipt of this decision (28 Texas Administrative Code § 148.3). This Decision was mailed to the health care provider and placed in the Austin Representatives box on \_\_\_\_\_. This Decision is deemed received by you five days after it was mailed and the first working day after the date the Decision was placed in the Austin Representative's box (28 Texas Administrative Code § 102.5(d)). A request for a hearing should be sent to: Chief Clerk of Proceedings/Appeals Clerk, P.O. Box 17787, Austin, Texas, 78744 or faxed to (512) 804-4011. A copy of this Decision should be attached to the request.

The party appealing the Division's Decision shall deliver a copy of their written request for a hearing to the opposing party involved in the dispute.

**Si prefiere hablar con una persona en español acerca de ésta correspondencia, favor de llamar a 512-804-4812.**

**PART VIII: INSURANCE CARRIER DELIVERY CERTIFICATION**

I hereby verify that I received a copy of this Decision in the Austin Representative's box.

Signature of Insurance Carrier: \_\_\_\_\_ Date: \_\_\_\_\_